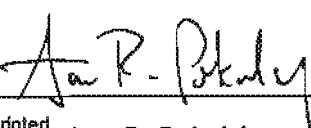
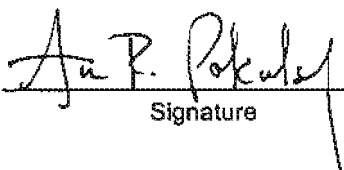


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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 4-100-8303C/C1D1 (167-49)							
I hereby certify that this correspondence is being transmitted to the United States Postal Service via the Office's electronic filing system on <u>July 27, 2009</u> . Signature <u></u> Typed or printed name <u>Ann R. Pokalsky</u>		In re Application of Schuler et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 10/092,639</td> <td style="padding: 2px;">Filed March 7, 2002</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For USE OF RAPAMYCIN DERIVATIVES IN VASCULOPATHIES AND ...</td> </tr> <tr> <td style="padding: 2px;">Group Art Unit 1618</td> <td style="padding: 2px;">Examiner Gembeh, Shirley V.</td> </tr> </table>		Application Number 10/092,639	Filed March 7, 2002	For USE OF RAPAMYCIN DERIVATIVES IN VASCULOPATHIES AND ...		Group Art Unit 1618	Examiner Gembeh, Shirley V.
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Group Art Unit 1618	Examiner Gembeh, Shirley V.								
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>540.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1121</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration No. _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>34,697</u></p> <div style="text-align: right; margin-top: 20px;">  Signature <u>Ann R. Pokalsky</u> Typed or printed name <u>07/27/09</u> Date </div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>									
<input type="checkbox"/> *Total of _____ forms are submitted.									

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